

Case No. 1:10-CV-2869
Gwin, J.

party's right to appeal the district court's judgment. Thomas v. Arn, 474 U.S. 140, 145 (1985); United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt the magistrate judge's report without review. See Thomas, 474 U.S. at 149.

In this case, neither party has objected to the Magistrate Judge's recommendation. Moreover, having conducted its own review of the Report and Recommendation, record, and parties' briefs, the Court agrees with the recommendation of Magistrate Judge Burke that the Court affirm the Commissioner's decision.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Burke's Report and Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Paskalik's complaint.

IT IS SO ORDERED.

Dated: March 5, 2012

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE